

LEGISLATIVE BILL 354

Approved by the Governor March 9, 1987

Introduced by Chambers, 11

AN ACT relating to state agencies; to amend section 81-161.03, Revised Statutes Supplement, 1986; to change provisions relating to direct purchases, contracts, and leases; to provide for direct purchases of supplies and materials as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 81-161.03, Revised Statutes Supplement, 1986, be amended to read as follows:

81-161.03. The materiel division may, by written order, permit purchases, contracts, or leases to be made by any using agency directly with the vendor or supplier whenever it shall appear to the satisfaction of the materiel division that, because of the unique nature of the article or property, the price in connection therewith, the quantity to be purchased, the location of the using agency, the time of the use of the article or property, or any other circumstance, the interests of the state will be served better by purchasing or contracting direct than through the materiel division. Such permission shall be revocable and shall be operative for a period not exceeding twelve ~~six~~ months from the date of issue. Using agencies receiving such permission shall report their acts and expenditures under such orders to the materiel division in writing and furnish such agent with proper evidence that competition has been secured at such time and covering such period as may be required by the materiel division. The materiel division shall adopt and promulgate rules and regulations establishing criteria which must be met by any agency desiring to increase the maximum limit of its direct market purchase authorization. Such criteria shall include a requirement that no agency office located in Lancaster County shall make direct market purchases of any items available from the materiel division's central stores. Purchases for miscellaneous needs may be made directly by any agency without prior approval from the materiel division for purchases not to exceed one hundred dollars, except that no agency office

located in Lancaster County shall purchase directly those items available from the materiel division's central stores. The Department of Correctional Services may purchase raw materials, supplies, component parts, and equipment perishables directly for industries established pursuant to section 83-183, whether such purchases are made to fill specific orders or for general inventories. Any such purchase shall not exceed twenty-five thousand dollars. The department shall comply with the bidding process of the materiel division and shall be subject to audit by the materiel division for such purchases.

Sec. 2. That original section 81-161.03, Revised Statutes Supplement, 1986, is repealed.